

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

HOWARD LAWRENCE	§	
ELLSWORTH, III, et al.,	§	
	§	
Plaintiffs,	§	
	§	CIVIL ACTION NO. 4:23-CV-00710-
v.	§	SDJ-AGD
	§	
DALLAS TEXAS DEPARTMENT OF	§	
VETERAN AFFAIRS, et al.,	§	
	§	
Defendants.	§	

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation of the United States Magistrate Judge (“Report”), this matter having been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On April 5, 2024, the Report of the Magistrate Judge, (Dkt. #44), was entered containing proposed findings of fact and recommendation that Plaintiffs’ Motion for Default Judgment (Dkt. #30) be denied and that Plaintiffs’ Motion to Expedite Rulings (Dkt. #35) and Plaintiffs’ Emergency Motion for Expedited Rulings (Dkt. #41) be denied as moot.

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge’s Report as the findings and conclusions of the Court.

It is therefore **ORDERED** that Plaintiffs’ Motion for Default Judgment (Dkt. #30) is **DENIED** and that Plaintiffs’ Motion to Expedite Rulings (Dkt. #35) and

Plaintiffs' Emergency Motion for Expedited Rulings (Dkt. #41) are **DENIED AS MOOT.**

So ORDERED and SIGNED this 28th day of April, 2024.



SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE